

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: McFarlane, Brian Jay	:	Examiner: Weinstein, Steven L
	:	
Serial No.: 10/710,290	:	Group Art Unit: 1761
	:	
Filed: June 30, 2004	:	Attorney Docket No.: 717119.450
	:	
For: PACKAGING OF FOODSTUFFS	:	Customer No.: 27128
	:	
	:	Confirmation No.: 4289
Last Office Action: April 4, 2008	:	

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated April 4, 2008, Applicants hereby elects for prosecution at this time the Group I claims, namely, claims 1-26 and 31-46, drawn to a method of packaging fresh meat. The election of the Group I claims are made with traverse without prejudice to the elected Group I claims and without prejudice to the non-elected Group II and Group III claims.

Reconsideration and withdrawal of the requirement for restriction are respectfully requested. The Applicant contends that Groups I, II and III are closely related and have a common utility. Specifically, the groups relate to exposing foodstuffs to an environment for preserving the foodstuff. The Applicant further contends that the Groups I, II and III claims do not pose a serious burden for the examiner by requiring separate searches.

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Because Applicant may wish to pursue claims of the non-elected Groups and species at a later date by Divisional Application, if necessary, it is requested that these claims, pursuant to 37 CFR 1.142, be permitted to remain in the application, but withdrawn from examination.

This response does not present any new matter. Accordingly, as all requirements of the Action have been complied with, an action on the merits and a Notice of Allowance are hereby respectfully solicited.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,

Date:

April 23, 2008



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